

UNITED STATES DISTRICT COURT  
Northern District of California

MARTIN GARDNER REIFFIN

No. C 11-03505 MEJ

Plaintiff(s),

v.

**ORDER DIRECTING PARTIES TO  
FILE CONSENT/DECLINATION  
FORM**

MICROSOFT CORP.

Defendant(s).

Pending before the Court is Defendant's motion to dismiss. Upon review of the record in this action, the Court notes that the parties have not filed written consents to magistrate judge jurisdiction. This civil case was randomly assigned to the undersigned magistrate judge for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by a magistrate judge may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, the parties shall inform the court, by way of the enclosed form (or the form on the Court's website), whether they consent to magistrate judge jurisdiction or request reassignment to a United States District Judge for trial. The parties shall inform the Court of their decision by August 31, 2011.

**IT IS SO ORDERED.**

Dated: August 17, 2011

  
\_\_\_\_\_  
Maria-Elena Jones  
Chief United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARTIN GARDNER REIFFIN

No. C 11-03505 MEJ

Plaintiff(s),

**CONSENT TO ASSIGNMENT OR  
REQUEST FOR REASSIGNMENT**

vs.

MICROSOFT CORP.

Defendant(s).

**CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of final judgment, and voluntarily waives the right to proceed before a United States District Judge.

Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

**REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

MARTIN GARDNER REIFFIN

Case Number: 11-03505 MEJ

Plaintiff,

**CERTIFICATE OF SERVICE**

v.

MICROSOFT CORP.

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 17, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Martin Gardner Reiffin  
47 Pheasant Run Terrace  
Danville, CA 94506

Dated: August 17, 2011

Richard W. Wieking, Clerk  
By: Brenda Tolbert, Deputy Clerk